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Fay Kaplun & Marcin, LLP
Suite 702
150 Broadway
New York, NY 10038

EXAMINER
ANDERSON, JOHN A

ART UNIT	PAPER NUMBER
3694	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/811,093	DAVIS ET AL.	
	Examiner	Art Unit	
	John A. Anderson	3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 September 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *08/12/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Status of the claims

This action is in response to the application filed on March 26,2004. Claims 1-21 are pending and are examined.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Stoutenburg et al (US PGPUB No: 2007/0029376 A1).

3. As regards claims 1 and 16, Stoutenburg discloses scanning each of a plurality of checks to generate digitized images thereof, the plurality of checks including at least one of non-consumer checks and consumer checks, [0039, When the check is inserted in the slip printer and/or imager vertically, it is scanned by the imager and MICR reader for content]. Stoutenburg discloses generating a master file including a record for each check, each record including the digitized image of the corresponding check and a data portion including data obtained from a MICR line of the corresponding check; [0206, The database information regarding merchants, issuers, and/or individual customers is generally stored on storage devices 1404. The database information stored on storage

devices 1404 is sometimes referred to herein as defining a "central database "].

Stoutenburg discloses sorting the records into first and second sub-files as a function of at least one of the digitized images and the data portions, the first sub-file including only the non-consumer checks and the second sub-file including only the consumer checks, [0180, POS device 130 analyzes the payment information to identify a suitable function central control 110 to which the payment is to be directed].

Stoutenburg discloses processing the records included in the first sub-file according to a non-consumer check procedure to settle transactions referenced by each of the checks corresponding to the records in the first sub-file; and processing the records included in the second sub-file according to one of a consumer check procedure and a non-consumer check procedure to settle transactions referenced by each of the checks corresponding to the records in the second sub-file, [0124, The information received at POS device 130 and/or POS peripheral 140 is transferred via network interface 228 and communication network 120 to processing system 512. After processing system 512 receives the necessary information to open a stored value record, techniques such as those set forth in the aforementioned U.S. patent application can be used to initiate the value record]. [0125, Processing system 512 then communicates whether the value record has been successfully opened to POS device 130 via communication network 120. If the value record was successfully opened, POS device 130 activates and produces stored value card 224 (or selects an appropriate stock card) via card issuer 226].

4. As regards claim 2, Stoutenburg discloses wherein the first and second sub-files are processed separately. [0052; In some embodiments, POS peripheral 140 provides the identical functionality provided by POS device 130, albeit in a form accessible to a customer. Thus, for example, POS device 130 may be tailored for operation by a merchant, while the same functionality is implemented in POS peripheral 140 and tailored for operation by a customer.]

5. As regards claim 3, Stoutenburg discloses wherein the digitized images of the checks include images of at least one of a front and a rear of the checks. [0039, Once the printing is complete, the check is turned over by the clerk and placed back in slip printer and/or imager for franking the back of the check.]

6. As regards claim 4, Stoutenburg discloses wherein the data portion further includes an amount of the check derived from the corresponding digitized image. [0039, Such franking of the back of the check can include receipt information, such as, a merchant number, a store name, a time stamp, a dollar amount, and the like.]

7. As regards claims 5 and 19, Stoutenburg discloses further comprising the step of: verifying the sorting step using information stored in a database of debtors. [0213, Upon providing suitable identification verification, a menu is displayed to permit the customer 1436 to select desired customer-care functions.]

8. As regards claims 6 and 20, Stoutenburg discloses further comprising the step of: displaying each of the records in the master file, the display including one of the data portion, a snippet of the digitized image, a digital amount of the check and a categorization of the check; [0190, Upon receiving the approval, it is displayed on display 210 and/or display 252 and the value associated with the check is provided to the customer (block 860). Providing such value can include having the merchant disperse the value from an available cash register or other source, or in some embodiments, providing the value directly from POS device 130 via a cash dispersal mechanism].

9. As regards claim 7, Stoutenburg discloses wherein a user is permitted to alter the displayed record. [0061, In such an embodiment, display reader interface 248 provides an interface for receiving input via the touch-screen.]

10. As regards claim 8, Stoutenburg discloses further comprising the step of: storing the data portion of each of the records in a database, the database being organized by debtors and each of the records corresponding to one of the debtors. [0126, In some embodiments, stored value card 224 comprises some type of media that is capable of storing an identifier, such as an identification number, in human readable form, on a magnetic-stripe, in a bar code, or the like. Also, a PIN may also be stored on card 224, in some instances in a manner that is inaccessible without tampering with any packaging or defacing the card itself.]

11. As regards claim 9, Stoutenburg discloses wherein the database includes one of a debtor's name, a debtor's account number, a debtor's address, a debtor's ABA number, and a debtor's account payable amount. [0149, In such a situation, information for identifying the stored value card and associated value account is entered via POS device 130 and/or POS peripheral 140. Such information can include, a name, address, and phone number of the customer, as well as a card number associated with a card to be issued (see block 1168).]

12. As regards claim 10, Stoutenburg discloses wherein the consumer check procedure includes processing of the second sub-file to forward it to a clearing network for a settlement [0160, Yet another alternative provides for providing payment via a check read by MICR 234, or by an Automated Clearing House ("ACH") transfer from a bank account by entering account information via keyboard interface 242 or via keyboard reader interface 266].

13. As regards claim 11, Stoutenburg discloses wherein the non-consumer check procedure includes electronically submitting the first sub-file to a financial institution, the financial institution generating an image replacement document for each of the non-consumer checks and submitting the image replacement document for a settlement. [0238, Alternatively, if it is determined that the institution associated with the check does support ECA via checking system 1600 (block 1736), then a receipt similar to a credit

card receipt is printed using the roll printer and presented to the customer for the customer's signature (block 1740).]

14. As regards claim 12, Stoutenburg discloses wherein the non-consumer check procedure includes electronically submitting the first sub-file to a first financial institution, the first financial institution forwarding the first sub-file to a second financial institution for settlement. [0235, Further, the authorization process includes authorizing the actual transaction based on the information read from the check that was inserted into POS device 130 (block 1736). In some embodiments, account information, and institution information derived by the MICR reader from the check is transferred from POS device 130 to checking host 1610.]

15. As regards claim 13, Stoutenburg discloses an image capturing device configured to capture a digitized image of a check, [0099, In some embodiments, display 252 supports electronic signature capture to facilitate processing of electronic forms of payment. In such embodiments, display 252 comprises a digitizer having at least eight-bit AID conversion detail].

Stoutenburg discloses a processor configured to extract data from the digitized image of the check and further configured to categorize the check as at least one of a non-consumer check and a consumer check as a function of at least one of the digitized image and the extracted data, wherein the processor stores the digitized image and the data in a first file when the check is categorized as a non-consumer check and in a second file

when the check. [0101, CPU 305 includes an A/D converter 314 for accessing analog data from a touch-screen 362 and converting it to digital data compatible with CPU 305.]

16. As regards claim 14, Stoutenburg discloses wherein the digitized image includes a MICR line from which the data is extracted. [0039, it is scanned by the imager and MICR reader for content.]

17. As regards claim 15, Stoutenburg discloses wherein the processor categorizes the check based on the position of the data on the MICR line. [0235, In some embodiments, account information, and institution information derived by the MICR reader from the check is transferred from POS device 130 to checking host 1610. In turn, checking host 1610 compares the account and institution information against a list of known bad and/or suspicious accounts. Thus, where comparison of the information indicates that the check is either bad, or possible bad, authorization can be denied.]

18. As regards claim 17, Stoutenburg discloses wherein the records included in the first subfile are processed according to a non-consumer check procedure to settle transactions referenced by each of the checks corresponding to the records in the first subfile. [0124, The information received at POS device 130 and/or POS peripheral 140 is transferred via network interface 228 and communication network 120 to processing system 512. After processing system 512 receives the necessary information to open a

stored value record, techniques such as those set forth in the aforementioned U.S. patent application can be used to initiate the value record].

19. As regards claim 18, Stoutenburg discloses wherein the records included in the second subfile are processed according to a consumer check procedure to settle transactions referenced by each of the checks corresponding to the records in the second subfile. [0125, Processing system 512 then communicates whether the value record has been successfully opened to POS device 130 via communication network 120. If the value record was successfully opened, POS device 130 activates and produces stored value card 224 (or selects an appropriate stock card) via card issuer 226].

20. As regards claim 21, Stoutenburg discloses wherein the database is updated using the data obtained from the check. [0158, a function central control 110 governing control of all POS devices 130 can communicate with other function central controls and perform the update functionality described in relation to FIG. 5D.]

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John A. Anderson whose telephone number is 571-270-3327. The examiner can normally be reached on Monday through Friday 8:00 to 5:00 Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

John A Anderson
Examiner
Art Unit 3694